

BASE:	NAS PENSACOLA, FLORIDA
SPECIAL AREA:	
TYPE OF ACTION:	<u>JURISDICTION DOCUMENTS</u>
CONTRACT NUMBER:	
PARTY INVOLVED:	UNITED STATES GOVERNMENT
DATE OF ACTION:	10-13-1856

DOCUMENT	DATE	# OF PAGES
MAP, FT. BARRANCAS MILITARY RESERVATION, BARRANCAS NATIONAL CEMETERY, NAS, & DEPT. OF COMMERCE L. H. RESERVATION		1
FILE COVER PAGE		1
DEED	10/13/1856	4
MAP, FT. BARRANCAS MILITARY RESERVATION, BARRANCAS NATIONAL CEMETERY, NAS, & DEPT. OF COMMERCE L. H. RESERVATION		1
DEED OF CESSION: FOR WATER LOTS ON THE NORTHSIDE OF BAYOU GRANDE NORTH OF THE NAS	1-Dec-1924	2
DEED OF CESSION, TRACT NO.1 , TRACT NO.2 & TRACT NO. 3, INCLUDING BACK COVER PAGE	29-May-1936	5
MEMO, REQUEST FOR ACQUISITION OF JURISDICTION	16-Apr-1992	2
MEMO, REQUEST FOR ACQUISITION OF JURISDICTION. FROM C/O NAS PENSACOLA (TO) SECRETARY OF THE NAVY (INSTALLATIONS & ENVIRONMENT)	26-Mar-1992	1
		<u>17</u>

EXCLUSIVE JURISDICTION
OVER PART OF FORT BARRANCAS
AND
BARRANCAS NATIONAL CEMETERY

1563 ACRES

DEED OF CESSION DATED

13 OCTOBER 1856

4

State of Florida.

To all to whom these Presents shall come
Greeting;

Know Ye, that Hon. S. L. Dobbin
Secretary of the Navy, having on behalf of the United
States made application to me in writing to cede to
the United States exclusive jurisdiction over the land
hereinafter described, subject to the provisions and terms
of an Act of the General Assembly of this State ap-
proved on the 24th day of July in the year of our
Lord one thousand eight hundred and forty five,
entitled "An Act assenting to the purchase by the United
States and ceding to the same jurisdiction of certain lands
on the Island of Key West, for the purposes designated
in said Act approved July 8th 1845. And the said ap-
plication being accompanied with the proper evidence
of the acquisition of said land hereinafter described and
of the metes and bounds thereof.

I therefore in the name and in behalf of the
State of Florida, and by virtue of the provisions of the
Act of the General Assembly aforesaid do hereby grant
convey and cede to the United States exclusive jurisdiction
for the purposes in said Act mentioned, intended or
referred to, over the following described land, to wit,
Commencing at a point on the shore of Pensacola
Bay (2) in a westerly direction from the S.E. Angle
of the Navy Yard. (1/4 one mile and 120 rods.) thence

N. 7° 15' west on the line run in November 1846, separating the Army and Navy Reserves 3500 feet, thence on the same line N. 0° 50' E. to the water of the Bayou Grande 4,350 feet, thence following the shores of the Bayou Grande in a Northerly and easterly direction till they meet those of Pensacola Bay, being in a straight line $1\frac{3}{4}$ miles. - thence following the shores of Pensacola Bay in a southerly direction to the S.E. angle of the Navy Yard $1\frac{3}{4}$ miles. - thence in a westerly direction to the point of departure, containing 1563 acres, the United States to hold, use, occupy, own, possess and exercise said jurisdiction over the said land for the purposes in said Act mentioned, intended or referred to and none other whatever, Provided Always that the cession aforesaid is hereby granted and made upon the express condition that this State shall retain a concurrent jurisdiction with the United States in and over the said land and every portion thereof, so far that all process civil or criminal issuing under the authority of this State, or of any of the Courts or judicial officers thereof, may be executed by the proper officers, upon any person or persons amenable to the same within the limits and extent of the said land in like manner and to the like effect as if the said Act of the General Assembly had never been passed, saving however to the United States security to their property within said limits and extent and exemption of the same

and of said lands from any taxation under the au-
thority of this State whilst the same shall continue to
be used and occupied by the United States for the
purposes above expressed and not otherwise.



In witness whereof, I have hereunto set
my hand, and caused the Great Seal of
this State to be affixed at the Capital
in Tallahassee this thirtieth day of
October, in the year of our Lord one
thousand eight hundred and fifty six.

James E. Broome,
Governor of Florida.

By the Governor
Attest, J. L. Villepique
Secy of State.

9-2 St. Barre, Fla.

Ded.

James E. Browne, Gov. of Florida.

To the

United States of America.

Land in Florida.

Dated October 13th 1856.

1856

26

Two Copies Aug 6 1876

(5)

NA 5 Peninsula

12-1-1924

WHEREAS, application has been made in writing on behalf of the United States for a cession to the United States of exclusive jurisdiction over the land hereinafter described for the purposes set forth in Section 5 of the Revised General Statutes of the State of Florida; and

WHEREAS, said application was accompanied by proper evidence of the acquisition of the title of said property by the United States of America for the purposes aforesaid; now therefore,

I, Cary A. Hardee, as Governor of the State of Florida and in pursuance to the authority vested in me by Section 7 of the Revised General Statutes of Florida, do by these presents cede to the United States of America exclusive jurisdiction over the lands hereinafter described for the purposes set forth in Section 5 of the Revised General Statutes of Florida, and subject to the provisos contained in Section 7 of said Revised General Statutes said property being located in Escambia County, Florida, and described as follows, to-wit:-

Beginning at the Northeast corner of the William Fisher subdivision of ninety-six (96) acres of the Pedro Palao Grant; thence run Northeasterly along a continuation of the West line of the said subdivision for the distance of Forty (40) feet; thence Northwesterly along a line parallel to the North line of the said subdivision for the distance of Twenty (20) feet for a point of beginning; thence along said line for a distance of one hundred (100) feet; thence Northeasterly along a line parallel to the West line of the said subdivision for the distance of Three hundred (300) feet; thence Easterly along a line parallel with the North line of said subdivision for a distance of One Hundred (100) feet; thence Southwesterly along a line parallel to the West line of said subdivision for a distance of Three Hundred (300) feet to point of beginning; also the following parcel of land; beginning at the Northeast corner of the Wm. Fisher subdivision of 96 acres of the Pedro Palao Grant; thence run Northeasterly along a continuation of the West line of the said subdivision for the distance of Three Hundred Ninety (390) feet; thence Northwesterly along a line parallel to the North line of the said subdivision for the distance of Twenty (20) feet for a point of beginning; thence along said line for a distance of One Hundred (100) feet; thence Northeasterly along a line parallel to the West line of the said subdivision for the distance of Three Hundred (300) feet; thence Easterly along a line parallel with the North line of said subdivision for a distance of One Hundred (100) feet; thence Southwesterly along a line parallel to the West line of said subdivision for a distance of Three Hundred (300) feet to point of beginning; all lying and being in Section fifty-nine (59), township two (2) South, Range Thirty (30) West;

2.10
Acres.

10-7

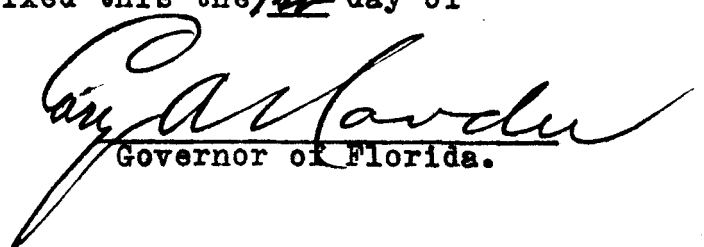
(5)

28479-441:8

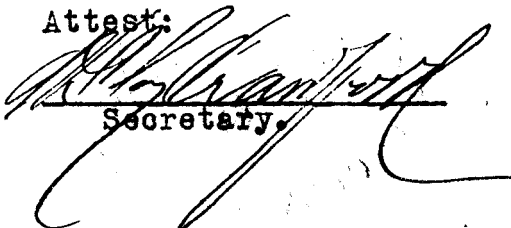
A piece or parcel of land in the Jaun B. Cazenave Grant, section fifty (50), township two (2) South, range thirty (30) West, more particularly described as follows: Beginning at a point on the North line of the said section fifty (50) where the West line of William Fisher's subdivision of 96 acres of the Pedro Palao Grant, section fifty-nine (59), township two (2) South, range thirty (30) West intersects said point, being ninety and fourteen one-hundredths (90.14) feet Westerly along the said North line from its intersection with the North line of the right-of-way of the Military Road from Pensacola to the National Cemetery, thence continuing Westerly along the said North line of the said section fifty (50) a distance of twenty (20) feet; thence at right angles with the line just traversed Southerly a distance of one hundred sixty-nine and three tenths (169.3) feet to a point on the North line of the right of way of the Military Road from Pensacola to the National Cemetery; thence Easterly along the said North line of the said right of way a distance of thirty six and seventy-two one hundredths (36.72) feet; thence Northerly parallel to the second line traversed a distance of one hundred thirty eight and five tenths (138.5) feet to the point of beginning, being and containing seven one-hundredths (.07) acres more or less and all being and lying in the Jaun B. Cazenave Grant, section fifty (50), township two (2) South, range thirty (30) West, Escambia County, State of Florida.

Also a right of way for a pipe line along the twenty foot alley way connecting said parcels of property, all of said property being more particularly described in the plat attached hereto.

IN TESTIMONY WHEREOF I have hereunto set my hand as Governor of the State of Florida, and caused the Great Seal of the said State to be hereto affixed this the 1st day of December, 1924.


Governor of Florida.

Attest:


Secretary.



See Drawing No. 6273-103 titled
"Fort Barrancas Military Reservation, Barrancas
National Cemetery, Naval Air Station, Department
of Commerce Lighthouse Reservation"
Dated September 1935

DEED OF CESSION.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the following described lands within the limits of the County of Escambia, State of Florida, have in part been reserved from the public domain by Executive orders and in part acquired by purchase and are now held by the United States of America for the purpose of erecting and maintaining thereon forts, magazines, arsenals, dock yards and other needful buildings:

TRACT NO. 1

Comprising fractional section 27, and a portion of fractional sections 1, 3 and 16, township 3 south, range 31 west, and fractional sections 1, 2, 3, 4 and 5, township 3 south, range 30 west, Tallahassee meridian. (All bearings refer to the true meridian).

Beginning at a concrete monument which bears S. 41 degrees 46' W. and distant 3,202 feet from the Pensacola Lighthouse, and running thence N. 12 degrees 40' W. a distance of 2,252.0 feet to a concrete monument; thence S. 77 degrees 20' W. a distance of 4,092.0 feet to a concrete monument (a concrete monument being placed in line 1,980 feet from beginning of course); thence N. 12 degrees 40' W. a distance of 6,126.78 feet to the intersection of the northerly section line of section 27, township 3 south, range 31 west; thence easterly along said section line, a distance of 1,995.18 feet to the north and south center line of section 3, township 3 south, range 31 west; thence northerly, along said center line, a distance of 1,900 feet, more or less, to the shore line of Bayou Grande; thence easterly along said shore line, as it meanders, a distance of 6,000 feet, more or less, to the north-south center line of section 1, township 3 south, range 31 west; thence southerly along said center line, a distance of 1,030 feet, more or less, to the east-west center line of said section; thence easterly, along said center line, a distance of 2,640 feet, more or less, to its intersection with the range line common to ranges 30 and 31 west; thence,

northerly, along said range line, a distance of 1,880 feet, more or less, to the shore line of the aforementioned Bayou Grande; thence easterly with the shore line of said Bayou Grande and Pensacola Bay as it meanders, southerly and westerly, a distance of 62,100 feet, more or less, to a point; thence N. 12 degrees 40' W. a distance of 692 feet, more or less, to the point of beginning, containing an area of 4,060.50 acres, more or less.

TRACT NO. 2

Comprising a portion of fraction^{al}/section 17, township 3 south, range 31 west.

Beginning at a concrete monument (the northeast corner of said tract No. 2) said monument bearing S. 12 degrees 40' E. and distant 2,485.0 feet from the identical intermediate concrete monument referred to in Course No. 2 in description of Tract No. 1, above, as "a concrete monument being placed in line 1,980.0 feet from beginning of course", and running thence, S. 12 degrees 40' E. a distance of 1,070.0 feet to a concrete monument; thence N. 77 degrees 20' E. a distance of 400.0 feet to a concrete monument; thence S. 12 degrees 40' E. a distance of 150.0 feet to a concrete monument; thence S. 77 degrees 20' W. a distance of 132.0 feet to a concrete monument; thence S. 12 degrees 40' E. a distance of 537 feet, more or less, to the shore line of Davenport Bayou; thence, southwesterly with the shore line of said Bayou and the shore line of Big Lagoon as it meanders: southwesterly, northwesterly and northeasterly, a distance of 8,500 feet, more or less, to a point in the shore line of Scallop Pond; thence northeasterly, along the arc of a curve of 1 mile radius described from the flagpole at the adjacent Fort McRee Military Reservation, a distance of 1,650 feet, more or less, to the point of beginning, containing an area of 102.81 acres, more or less.

Exclusive Jurisdiction reverted back to the State of Florida when Tracts 2 and 3 were sold by the War Department. The USA never applied to regain jurisdiction these Tracts when the property was reacquired as Tract XI.

TRACT NO. 3

Comprising a portion of fractional section 17, township 3 south, range 31 west.

Beginning at a creosote post bearing S. 12 degrees 40' E. and distant 2,564 feet from the point of beginning of Tract No. 2 above, and running thence S. 12 degrees 40' E. a distance of 250 feet, more or less, to the shore line of Davenport Bayou; thence northwesterly and northeasterly with the shore line of said Bayou as it meanders, a distance of 770 feet, more or less, to a point; thence S. 12 degrees 40' E. a distance of 440 feet, more or less, to the point of beginning, containing an area of 1.82 acres, more or less.

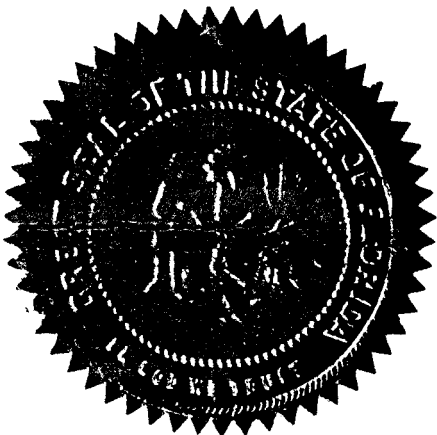
The three tracts as described contain a total area of 4,165.13 acres, more or less, of which 2,616.83 acres, more or less, comprise the military, 1,473.3 acres, more or less, the naval, and 75 acres, more or less, the Department of Commerce Lighthouse reservation, and are shown on Map No. 6273-103 entitled: "Fort Barrancas Military Reservation, Barrancas National Cemetery, Naval Air Station, & Department of Commerce Lighthouse Reservation" Scale 1" = 1200', dated September 1935, on file in the Office of The Quartermaster General, War Department, Washington, D. C., a copy of which is attached hereto and made a part hereof.

WHEREAS, application in writing has been made by the said United States of America to me, David Sholtz, Governor of the State of Florida, to cede to the said United States of America jurisdiction over said lands;

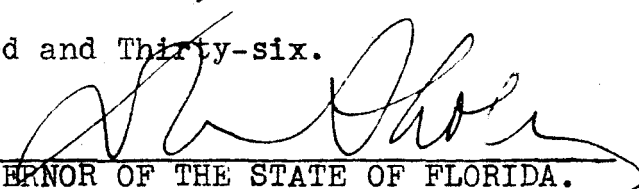
NOW, THEREFORE, I, David Sholtz, Governor of the State of Florida, in ~~and~~ the name and by the authority of said State and pursuant to the statute of said State in such cases made and provided, do hereby cede to the United States of America, exclusive jurisdiction over said lands so acquired;

PROVIDED, HOWEVER, that said cession of jurisdiction is made upon the express condition that the said State of Florida retains and shall have concurrent jurisdiction with the United States in and over said lands and every portion thereof so far that all process, civil or criminal, issuing under authority of said State of Florida, or of any of the Courts or judicial officers thereof, may be executed by the proper officer thereof upon any person or persons amenable to the same, within the limits and extent of said lands in like manner and like effect as if said statute of the State of Florida had never been passed and this instrument had never been executed; saving, however, to the United States security to their property within said limits and

extent and exemption of the same and of said lands from any taxation under authority of the State of Florida while the same shall continue to be owned and occupied by the United States for the purposes above expressed and not otherwise, and provided further, that this cession is made and shall in all things be subject to the terms and effect of the statute of the State of Florida in such cases made and provided the same as if such statute were herein fully set forth.



IN TESTIMONY WHEREOF, I, David Sholtz, Governor of the State of Florida, have hereunto set my hand and caused this instrument to be countersigned by the Secretary of State and sealed with the Great Seal of the State of Florida, at the Capitol, at Tallahassee, this 29th day of May, in the year of Our Lord, One Thousand Nine Hundred and Thirty-six.


GOVERNOR OF THE STATE OF FLORIDA.

ATTEST:

SECRETARY OF STATE OF THE
STATE OF FLORIDA.

STATE OF FLORIDA,)
 :
OFFICE SECRETARY OF STATE.)

I, R. A. Gray, Secretary of State of the State of Florida, do hereby certify that the foregoing Deed of Cession has been duly recorded in this office in Deed Book A, pages 330-335.

Given under my hand and the Great Seal of the State of Florida, at Tallahassee, the Capital, this 29th day of May, A. D. 1936.


SECRETARY OF STATE.



DEED OF CESSION

TO

UNITED STATE OF AMERICA

for

Forts, magazines, arsenals,
etc., in Escambia County,
Florida.

This instrument cedes jurisdiction
over the Fort Barrancas Military
Reservation; Barrancas National
Cemetery; Naval Air Station, Pensacola;
and Dept. of Commerce Lighthouse
Reservation, all in Escambia County,
State of Florida.

11011
Code 241/WJH
16 APR 1992,

From: Commanding Officer, Southern Division, Naval Facilities
Engineering Command

To: Commanding Officer, Naval Air Station, Pensacola FL

Subj: REQUEST FOR ACQUISITION OF JURISDICTION

Encl: (1) CO NAS PENSACOLA ltr Code 11000 Ser 00400 8234 of 26 Mar
92

(2) NAVFAC P-73 Real Estate Procedural Manual, Chapter 26,
Federal Legislative Jurisdiction

1. We have reviewed enclosure (1) and this Command recommends that the jurisdiction of NAS Pensacola complex, including OLF Bronson and your property located at NTTC Corry be changed to concurrent jurisdiction in accordance with paragraph 5 of enclosure (2).

2. It is our understanding that the following actions are required under Florida statute to establish concurrent jurisdiction:

a. A deed of cession from the Governor transferring exclusive jurisdiction, over all lands presently held in proprietorial jurisdiction, to the Federal Government.

b. Acceptance of exclusive jurisdiction by the Federal Government.

c. Relinquishment by the Federal Government to the State of Florida such measure of exclusive jurisdiction over the entire NAS Pensacola Complex as is necessary to establish concurrent jurisdiction between the Federal Government and the State of Florida.

d. State of Florida acceptance of retrocession of jurisdiction.

3. The Commanding Officer, NAS Pensacola is requested to furnish the following additional information for the areas presently covered by exclusive jurisdiction:

a. List number of assaults, homicides, burglaries, thefts, drugs, vice, disorderly conduct, property damage, trespassing, domestic violence, and traffic violations in the last 24 months.

b. Percent of crimes committed by civilians (break out and list number of juveniles).

Subj: REQUEST FOR ACQUISITION OF JURISDICTION

c. Percent of crimes committed by military personnel.

d. Furnish a letter from the Escambia County Solicitors office giving his concurrence with the plan to change to concurrent jurisdiction.

e. Furnish a letter from the Attorney General, State of Florida, giving his concurrence with the plan to change to concurrent jurisdiction.

f. Provide a legal description of the fee area presently held in exclusive jurisdiction along with a legal description for the balance of the fee area presently held in proprietorial jurisdiction for NAS Pensacola, OLF Bronson, and your property located at NTTC Corry.

e. Show how (deed, civil action, donation) and when each parcel of land was acquired.

g. Provide certified copies of the deeds and the final judgments for the civil actions. These items can be obtained from the Deed Records of Escambia County.

4. This office can assist your personnel in preparation of the legal descriptions as required in Para. 2 Section e. above and provide you with the list of deeds and civil actions as described in Para. 2 Section f. above.

5. The complete package should then be forwarded to the Commander, Naval Facilities Engineering Command as indicated in Para. 7 of enclosure (2).

6. Our point of contact is William Holling and he can be reached at (803) 743-0498 or Autovon 563-0498 to answer any questions.

J. H. OWENS
By Direction

→ REAL ESTATE
~~REAL ESTATE~~-(D)
09P

WRITER: William Holling, Code 241, Ext. 0498

TYPIST: C. Slone, WP:A:JURISD.PEN, DATE: 4/15/92

241 *Ho*
~~248~~
241/WJHX *WJH 4/12/92*



DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVAL AIR STATION
PENSACOLA, FLORIDA 32508-5000

IN REPLY REFER TO

11000
Ser 00A00 823Y
26 MAR 1992

From: Commanding Officer, Naval Air Station, Pensacola
To: Secretary of the Navy (Installations and Environment)
Via: Commanding Officer, Southern Division, Naval Facilities Engineering Command

Subj: REQUEST FOR ACQUISITION OF JURISDICTION

Encl: (1) NAVFAC Drawing No. 1276840
(2) NAVFAC Drawing No. 5223328
(3) NAVFAC Drawing No. 5032555
(4) F.S.A. 6.02 - 6.04

1. The areas depicted in enclosures (1) and (2), and Tracts III, V through XXIV, XXVI, and XXXIII of enclosure (3) are under proprietary jurisdiction. It is requested that the U.S. Government be granted exclusive jurisdiction or, at minimum, concurrent jurisdiction over those areas.

2. The following is provided in amplification of this request.


a. Present jurisdictional status is proprietary.

b. Because the areas described are under proprietary jurisdiction, the authority of DOD policemen to refer suspected offenses to Federal Magistrates Court is limited or nonexistent and the Federal Assimilative Crimes Act cannot be applied. This problem is worsened by the fact that the tracts shown on enclosure (3) are within the perimeter of Naval Air Station, Pensacola. This results in several large areas being outside DOD police jurisdiction and unpatrolled by local civilian police authorities.

c. Exclusive federal jurisdiction is deemed most appropriate for these areas; however, concurrent jurisdiction would be an acceptable status, while remaining under proprietary jurisdiction would be unacceptable.

d. Relevant state statutes are provided in enclosure (4).

e. Enclosures (1) through (3) provide descriptions of the property under discussion.


R. J. BURNS